

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

FRANK TURNER)

Defendant.)

NO. 4:05CR00196-001 BRW

MOTION FOR ORDER TO RETURN FUNDS

The United States, by and through Christopher R. Thyer, United States Attorney for the Eastern District of Arkansas, and Stacey E. McCord, Assistant U.S. Attorney for said district, respectfully moves for the Court to order the United States District Clerk's Office to return wages collected from the defendant, that was over the agreed upon amount. In support of this Motion, the United States asserts the following:

1. On June 21, 2006, a criminal judgment was entered against the defendant, Frank Turner. The defendant was sentenced to 99 months imprisonment, and ordered to pay a Special Assessment in the amount of \$100.00 and restitution in the amount of \$6,023.00 to the victim, Bank of Little Rock. The defendant has a debt balance of \$4,939.23.

2. On February 22, 2016, the defendant signed Agreed Final Order In Garnishment with his employer, Welspun, to have a wage deduction of \$50.00 per month while on Supervised Release.

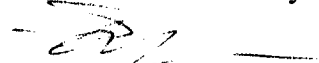
3. On April 1, 2016, the payroll company for Welspun erroneously deducted 25% of the defendant's wages in the amount of \$463.30. This deduction caused a hardship to the defendant. The defendant is not able to pay his other debts and has had bank overdrafts on his account.

4. The United States requests that the Court grant its Motion and Order the United States District Clerk's Office to return \$413.30 to the defendant. The defendant will continue to have the \$50.00 monthly payment deducted.

WHEREFORE, the United States requests that the Court grant its Motion and order the United States District Clerk's Office to return \$413.30 to the defendant.

Respectfully submitted,

Christopher R. Thyer
United States Attorney



By: /s/ Stacey E. McCord
Assistant U.S. Attorney
AR Bar Number 87114
P.O. Box 1229
Little Rock, AR 72203
(501) 340-2630
Stacey.McCord@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on May 26, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and mailed a copy via U. S. Postal Service to:

Frank Turner



/s/ Stacey E. McCord
Assistant U.S. Attorney